

-----Original Message-----

From: Waldo Holt [mailto:waldoh@LYCNET.COM]

Sent: Sunday, March 16, 2003 5:09 PM

To: Knittweis, Gwen

Cc: deltakeep@aol.com; kfoley@inreach.com; David Yee; rowoth@sbcglobal.net; staten@citlink.net; meaton@tnc.org; kwhitener@tnc.net

Subject: NOP for DEIR for NDIP

Ms. Gwen Knittweis
North Delta Improvements Project
California Department of Water Resources
P.O. Box 942836
Sacramento CA 94236-0001

Re: NOP for NDIP

{via e-mail, hard copy to follow}

March 16, 2003

Dear Ms. Knittweis,

The San Joaquin Audubon Society has a deep interest in the North Delta Improvements Project. We are concerned that proposed elements of the NDIP will have major deleterious effects to the environment. We are dismayed that we did not receive any notice of the release of the NOP for the NDIP. We are concerned because we have been told that our comments are beyond the deadline and that they will not be included in the public record for the Notice Of Preparation for the Draft Environmental Impact Report for the NDIP, (e-mail correspondence below).

We are also aware that the Cosumnes River Preserve of The Nature Conservancy was unaware of the release and deadline for comments to the NOP. We are also aware that Deltakeeper was unaware of the release and deadline for comments to the NOP. This is not as it should be. Not having received the NOP, our familiarity with the project is limited to a brief view of exhibits and a short discussion of the project at a "workshop" held one evening in the fourth week of February in Walnut Grove. No printed material and no public statements at that meeting indicated that the NOP had been released. None the less, we will herewith provide our comments with the request that they be included in the public record for the NOP for the NDIP DEIR.

- 1) The NDIP is a piecemeal portion of a larger project. The DEIR will be fatally flawed if it does not place the NDIP in its proper place as a component of the larger Calfed project. The NDIP together with the South Delta Improvement Project and the Delta Cross Channel Project are designed to convey and export more and higher quality water from Northern California to Southern California. Therefore, the environmental impacts that the DEIR must address are not limited

to the NDIP but include the full range of environmental impacts that are generated by the complete Calfed water export project.

- 2) The NDIP project is incorrectly described as merely a “flood control” project. Flood control may be an aspect of the contemplated project, however, water conveyance and export are the motivating factors behind the entire NDIP. The ambitious scope of work being considered obviously contemplates a level of public monetary expense that is out of scale to the benefits the general public will derive if only the “flood control” aspects of the project are a part of the equation. The public assets being “saved” from a potential flood appears to be dwarfed by the financial involvement the project requires from the public coffers. Dredging, levee setbacks, “flood” detention basins, etc. are very expensive items. We assert that there is an additional use contemplated for the various components in the NDIP. The combination of a bigger gate at the Delta Cross Channel to direct Sacramento River water at one end and the dredged channels and bigger pumps being proposed for the SDIP at the other end finds the NDIP’s dredged and widened channels conveniently placed to increase the amount and quality of water which can be pumped from Northern California to Southern California. Also, the flood detention basin on Staten Island would conveniently provide a source of “new” water that could be exported south. The DEIR project description needs to encompass the complete purpose of the proposed project. The full and complete range of environmental impacts associated with this larger intent of the NDIP need to be addressed in the DEIR.
- 3) Therefore, a full range of alternatives in the DEIR must include one designed to achieve improved water management flexibility and water supply reliability with no net increase in Delta diversions. This is an alternative that is consistent with the ROD.
- 4) In order to evaluate water quality impacts in the DEIR, Calfed must ensure that adequate baseline data is collected. NDIP activities, including dredging and changes in flow patterns, could have significant impacts on contaminant levels and cause increased water quality problems. The adequacy of present water quality data is insufficient to evaluate the impacts of the proposed project. A Calfed science program should convene a group to evaluate the adequacy of existing delta water quality data to assist Calfed in designing and implementing a program to ensure adequate collection and analysis of the potential project impacts on the full range of bacterial, organic and inorganic constituents in the estuary.
- 5) Waters impounded in a flood detention basin on Staten Island will likely contain various pollutants. The reaction of impounded waters with the soils of the detention basin will likely result in the increased absorption of organic and inorganic pollutants. The Delta has no more assimilative capacity for pollutants. The DEIR needs to analyze the potential impacts to water quality such as: low dissolved oxygen, high electrical conductivity, high temperature, heavy metals, etc. that are likely to be discharged into the Delta from the proposed Staten Island Flood Detention Basin.
- 6) Tail water pollution resulting from routine agricultural activities on Staten Island is presently exempt from regulation under the federal Clean Water Act. The transformation of that island into a flood control facility will void that agricultural exemption from Clean Water Act regulation. We note that the Delta is

listed as an impaired water body on the EPA 3(d) list for a variety of pollutants: heavy metals, electrical conductivity, pesticides, low D.O., etc. Waters impounded in a flood detention basin on Staten Island will likely contain various pollutants. The Delta has no more assimilative capacity for these pollutants. A NPDES permit will likely be required for the discharge of pollutants from the proposed Staten Island Flood detention Basin. The DEIR needs to include and analyze the extra costs associated with the operation of a flood control facility resultant from the loss of an exemption from the Clean Water Act. This cost analysis should include the expense of treating to tertiary standards, all water discharged into the Delta from the proposed Staten Island Flood Detention Basin.

- 7) We include, as an attached spreadsheet, data collected on Christmas Bird Counts on Staten Island. The San Joaquin Audubon society has been conducting a Christmas Bird Count in the Delta for over forty years. Since 1986 Staten Island has been a discrete unit of that count. We are able to provide data that pertains to Staten Island exclusively from December 1986 through December 2002. This data was collected on one day only each year during the third week in December no matter the weather. Christmas count compilers David Yee and Jim Rowoth have overseen the entire count. Primary investigators on Staten Island include team leaders Arvil Parker, Mark Cudney, and Pierre de Lastre. Among many participants, the most frequent have been: Joe Ceriani, Tim Fitzer, Jeff Mangum, Tim Steurer. During this seventeen-year period 143 species of birds have been recorded on Staten Island on this one-day event. We do not believe that there is another comparable inland location, near this latitude, worldwide that can match the bird diversity we have found on Staten Island. NDIP proposals to convert Staten Island into a "flood" detention basin will strongly motivate the membership of the San Joaquin Audubon Society to actively oppose the NDIP.

Again, we wish our comments to be placed in the public record for the NDIP NOP. We feel that if we have missed the deadline, that fault is not ours.

Sincerely,
Waldo Holt
Conservation Chair, San Joaquin Audubon Society
C/o 3900 W. River Dr.
Stockton Ca 95204-1120

----- Original Message -----

From: Knittweis, Gwen

To: Waldo Holt

Sent: Tuesday, March 11, 2003 10:59 AM

Subject: RE: NDIP

Waldo,

We are very interested in receiving your Agency's comments. There are several avenues for you to provide comment. Comments from the Public scoping sessions are welcome until March 15, 2003. Comments received after March 15 will be considered, but will not be included in the record of Public Scoping comments. DWR filed the NOP with the

State Clearinghouse on January 30, 2003 and the Clearinghouse subsequently distributed the NOP to public agencies for comment within 30 days, so that deadline has expired. However, there will be opportunity to comment on the public Draft EIR/EIS and Final EIR/EIS and we also encourage your involvement and input with the North Delta Improvements Group, a stakeholder and Agency outreach group that meets the first Thursday of every month as warranted. The next meeting is scheduled for Thursday, April 3 from 9:30-11:30 at Jones and Stokes offices on 26th and V Streets, Sacramento. Please call me at (916) 651-7015 if you have any questions or would like to discuss your concerns. Thanks. Gwen Knittweis

-----Original Message-----

From: Waldo Holt [mailto:waldoh@LYCNET.COM]
Sent: Friday, March 07, 2003 8:44 AM
To: Knittweis, Gwen
Subject: NDIP

Dear Ms K,

I am the conservation chair of the San Joaquin Audubon Society. My organization is very much interested in commenting on the NOP for the NDIP. We were unaware that the NOP for the NDIP had been released for comment. We attended the meeting in late February in Walnut Grove where we did not hear anyone mention that the NOP had been released. In conversations with: TNC, Deltakeeper, and even Bay-Delta branch of CDFG it seems that these organizations were also unaware that the NOP had been released for comment. We would like to know when the deadline for comments on the NOP is? I will be out of the state all of next week (week of March 10) which will complicate our organization's ability to meet any imminent deadline. Thank you,

Waldo Holt
conservation chair
San Joaquin Audubon Society
c/o 3900 West River Drive
Stockton CA 95204-1120
209/462-4438

	1986	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002
pied-billed grebe	2		12	6	16	12	18	13	29	25	5	24	27	2	3	10	25
horned grebe								1				4					
eared grebe	2												1			1	
western grebe						3	2		2	3		3	7		1	5	
Clark's grebe												1	2				
American white pelican																	
double-crested cormorant			1	258	167	16	12	16	21	10	32	30	49	2	61	27	50
American bittern			3		2		2					1			1		1
great blue heron	4	6	5	3	9	5	11	9	4	4	11	6	15	5	16	13	8
great egret	14	28	12	41	66	48	75	63	81	40	32	55	33	6	50	32	30
snowy egret				4	3	1	15	35	2	1	1	5	4	1	16	2	2
cattle egret				2	13	16	21	12	5	6			1		2		1
black-crowned night-heron					75	50	200	1	150	60	60		40				
tundra swan													958	6614	5200	1317	285
greater white-fronted goose	1200	260	1600	468	460	5000	1250	803	44	2500	160	1970	1398	298	150	4747	369
snow goose		20	60	1	202	500	824	75	12	50	30	500	1052		72	263	16
Ross' goose				3	8	2	62		4		1	50	10	7		2	
Canada goose	138	720	5777	194	159	120	919	127	325	150	45	150	888	729	105	949	4841
wood duck			2										4				
green-winged teal													127	413	21	13	10
mallard													404	573	120	454	429
northern pintail													1770	5367	70	364	1470
cinnamon teal								1						9		1	2
northern shoveler													1485	713	750	136	333
gadwall			26	115	20	5	7	4	5	12	42	10	2	63		2	2
American wigeon													10	25	2	7	12
canvasback	44		9		4		73	47	11	600	6	250	1001	55	149	276	433
ring-necked duck					6	1	11	10		6		2					
common goldeneye							2					1		1		6	1
bufflehead							4	1	1	80			6	1		9	
ruddy duck	100	124	36	16	1	6	232	287	160	300	310	90	106		2	8	
turkey vulture													1	8	13	7	1
white-tailed kite													1	8	11	11	4
northern harrier	6	9	35	18	66	10	42	22	36	15	34	20	16	6	27	20	24
sharp-shinned hawk					4		4	1	3	1		3	1		3	1	1
Cooper's hawk				1	5	2	6	4	4	3	1	2	2		2	2	1
red-sholdered hawk				4	1	2	2	2	1					1		1	1
Swainson's hawk															15		
red-tailed hawk	15	18	27	10	45	35	87	51	48	15	27	19	33	11	61	52	37
feruginous hawk							1										1
rough-legged hawk	3	4	21	1	5	5	1	1	1	1	4	5		1	10	6	2
golden eagle			1	1													
American kestrel	20	9	9	12	42	25	27	61	17	12	12	9	9	9	29	15	10
merlin													2				1
peregrine falcon									2			1			1		1
prarie falcon				1	3	2	2	1				1			1		
ring-necked pheasant													18	3	79	11	1
California quail																16	4
sora														3			
common moorhen													1		5		
American coot	1140	350	117	2067	688	93	633	2350	1174	700	4006	1100	1450	1642	199	631	1417
sandhill crane	2665	3920	5194	5393	2444	3500	2000	3542	902	2500	4432	4100	2950	8162	6750	3640	1914
killdeer													39	8	33	37	15
black-necked stilt													34	25		7	
greater yellowlegs													6	27	18	23	5
lesser yellowlegs													2		4	2	1
long-billed curlew						1								3		1	2
marbled godwit				1													
western sandpiper													2			7	3
least sandpiper													194	129	95	165	73
dunlin	200	5	7500	1627	263	175	917	717	34	300	61	500	312	156	70	39	21
short-billed dowitcher														1			
long-billed dowitcher	150	300	5200	545	359	118	684	351	41	300	7	240	73	64	40	120	81
Wilson's snipe													11	85	40	12	44
little gull			1														
Bonaparte's gull			14	5		1	1				12	10			8	2	8
mew gull				2	1		1									1	
ring-billed gull		5	21	496	19	75	291	441	13	16	74	95	111	44	29	23	8
California gull	40	200	44	170	47	26	18	5	9	2	6	300	13	19	99	12	34
herring gull			35	4	109	32	24	77	6	30	27	32	13	37	16	22	20
Thayer's gull			1														
western gull					1												

glaucous-winged gull					1												
Forster's tern													16		3	1	1
rock dove	100	26	38	49	193	95	57	32	95	25	10	20	122	26	60	11	5
mourning dove	23	78	5	9	13	176	250	40	14	60	37	100	44	15	260	96	58
barn owl													2		2	1	1
great horned owl													2	1	1	1	2
burrowing owl														1	2	2	1
short-eared owl																	
Anna's hummingbird	1	2			2		5				3	1	1			2	1
belted kingfisher													4	4	3	6	5
Nuttall's woodpecker													1		2	5	2
downy woodpecker														2		1	
northern flicker	3	1	7	9	20	6	21	21	32	12	11	13	9	5	6	5	6
black phoebe													10	13	9	17	4
Say's phoebe													2		1	3	
horned lark													75	35	14	15	6
tree swallow													8	41		4	1
western scrub-jay	3	4	5	20	13	5	20	20	3	8	9	7	14	3	9	15	8
yellow-billed magpie													2		4	4	1
American crow	5	10	8	6	74	72	10	149	31	23	112	100	30	61	86	49	13
bush tit	50			57			26			3					10		11
bewick's wren													3		2	1	2
house wren														3	1	2	
marsh wren													6	12	11	11	1
golden-crowned kinglet													16		15		
ruby-crowned kinglet													9	3	6	7	5
western bluebird						2									2		2
hermit thrush													1		2	1	
American robin													6	20	6	11	2
wren tit																2	
northern mockingbird													1	4	4	4	3
American pipit													175	99	130	258	432
cedar waxwing													20			10	
loggerhead shrike													1	3	1	5	
European starling													7450	1885	450	127	516
orange-crowned warbler													1		1	2	
yellow-rumped warbler													10	27	6	4	4
common yellowthroat													6	7	4	3	1
spotted towhee													5	6	9	23	8
California towhee													4		6	4	2
lark bunting																	1
savannah sparrow													110	47	350	110	183
vesper sparrow																	
fox sparrow													2	4	4	3	1
song sparrow													13	15	195	138	18
Lincoln's sparrow													2	34	9	10	1
golden-crowned sparrow													223	4	155	59	40
white-crowned sparrow													476	89	324	465	136
dark-eyed junco		12		101	12	1	60	87	54	4	12	30	45		25	18	
red-winged blackbird	12	405	90	7454	6800	200	1415	4002	3595	3000	1121	100	259	2092	3450	1315	2155
tricolored blackbird				1	32	34		1	18				2		55	1	8
western meadowlark													138	92	290	613	965
yellow-headed blackbird				2	3			1							2	2	
Brewer's blackbird	2019	4200	7810	3063	5745	15000	3251	2610	5661	400	1015	820	882	124	11000	4023	3880
brown-headed cowbird			1		3	22	2	201	200		2		4	3	13	3	4
house finch	221	80	544	382	52	350	764	1220	3735	300	489	224	1090	53	3200	1437	2372
pine siskin																	
lesser goldfinch	6			10	6	6	3	2							2		10
American goldfinch	16	40		3	10	6	442	51	35	35		40	29	21	160	45	19
house sparrow													84	39	49	165	53